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MARY E. D'ANDREA, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ERIC J. EPSTEIN	:	CIVIL ACTION NO. CV-010682
	:	
Plaintiff,	:	
	:	
v.	:	(JUDGE YVETTE KANE) ✓
	:	
SPENCER ABRAHAM, et al.,	:	
	:	
Defendants.	:	

**UNOPPOSED MOTION OF EXELON GENERATION COMPANY, LLC
FOR LEAVE TO INTERVENE AS A PARTY DEFENDANT**

Exelon Generation Company, LLC, by and through its attorneys, hereby moves this Court to grant leave to intervene as a party defendant as of right pursuant to Federal Rule of Civil Procedure 24(a)(2), or, in the alternative, for permission to intervene under Federal Rule of Civil Procedure 24(b)(2). The defendants take no position on intervention and will not be filing an opposition. Plaintiff has represented that he does not oppose this motion. In support of this motion, Exelon is simultaneously filing its memorandum of law and proposed answer.

Respectfully submitted,



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July 2, 2001

CERTIFICATE OF CONCURRENCE

The undersigned hereby certifies that, in accordance with Local Rule 7.1, counsel for proposed Intervenor Exelon Generation Company, LLC sought concurrence from the parties prior to filing this motion. The defendants take no position on intervention and will not be filing an opposition. Plaintiff has represented that he does not oppose this motion.



Brad Fagg
Counsel for Exelon Generation
Company, LLC

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ERIC J. EPSTEIN	:	CIVIL ACTION NO. CV-010682
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v.	:	(JUDGE YVETTE KANE)
	:	
SPENCER ABRAHAM, et al.,	:	
	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of July, 2001, I caused a copy of (1) the Unopposed Motion of Exelon Generation Company, LLC for Leave to Intervene as a Party Defendant, and [Proposed] Order, (2) Proposed Answer of Exelon Generation Company, LLC, (3) Memorandum of Law in Support of the Unopposed Motion of Exelon Generation Company, LLC for Leave to Intervene as a Party Defendant, and (4) Proposed Intervenor's Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, to be served by first-class mail, postage prepaid, to the following:

Eric J. Epstein
4100 Hillsdale Road
Harrisburg, PA 17112

John P. Almeida
U.S. Department of Justice
Environmental & Natural
Resources Division
General Litigation Section
P.O. Box 663
Washington, D.C. 20044

Vincent Candiello /pm
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